

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

April 17, 2000

DIVISION ONE

B119668 Hamaoui (Not for Publication)
B133428 v.
Prisma Devices, Inc., et al.

We affirm the judgment and the challenged costs orders. The parties are to bear their own appellate costs.

Ortega, J.

We concur: Spencer, P.J.
Masterson, J.

B131806 Fairchild et al. (Not for Publication)
v.
Park

We affirm the judgment and award plaintiffs costs on appeal.

Ortega, J.

We concur: Spencer, P.J.
Masterson, J.

B137009 People (Not for Publication)
v.
McArthur

The judgment is affirmed.

Ortega, J.

We concur: Spencer, P.J.
Masterson, J.

DIVISION ONE (Continued)

B134982 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Rickie S. and Juliet H.

We affirm the challenged orders.

Ortega, Acting P.J.

We concur: Vogel (Miriam A.), J.
 Masterson, J.

B134631 Kidron (Not for Publication)
v.
Nelson

The judgment (order of dismissal) is affirmed.

Ortega, J.

We concur: Spencer, P.J.
 Masterson, J.

B131895 People (Not for Publication)
v.
Torres

The judgment is affirmed.

Ortega, Acting P.J.

We concur: Vogel (Miriam A.), J.
 Masterson, J.

DIVISION TWO

B130495 Cal-Vest '85 Fund II, Ltd., et al. (Not for Publication)
v.
Home Savings of America

The judgment is affirmed.

Boren, P.J.

We concur: Nott, J.
Cooper, J.

B129602 Generali-Assicurazioni (Not for Publication)
v.
General Star Indemnity Co.

The judgment in favor of respondent is reversed. The order granting summary judgment is affirmed to the extent that it exonerates General Star from a duty to contribute toward the \$175,000 Generali paid to settle the Ebert Action. The order granting summary judgment is reversed to the extent that it exonerates General Star from a duty to pay a prorated share of the cost of defending the Handleys. The order denying Generali's motion for summary adjudication re: the duty to defend is reversed. The cause is remanded to the trial court to determine the appropriate amount of General Star's contribution to the cost of defending the Handleys. Each party to bear its own costs on appeal.

Boren, P.J.

We concur: Nott, J.
Cooper, J.

DIVISION TWO (Continued)

B129428 Grosslight Insurance, Inc. (Not for Publication)
 v.
 Meyer

The judgment is affirmed.

Boren, P.J.

We concur: Nott, J.
 Cooper, J.

DIVISION THREE

B126489 People (Not for Publication)
 v.
 Lynn

The judgment is affirmed.

Kitching, J.

We concur: Croskey, Acting P.J.
 Schneider, J. (Assigned)

B122461 People (Not for Publication)
 v.
 Fender

The order denying the People's motion to reinstate counts one through eight of the second amended complaint filed August 1, 1997, reversed. The matter is remanded to the superior court for proceedings not inconsistent with this opinion.

Kitching, J.

We concur: Klein, P.J.
 Schneider, J. (Assigned)

DIVISION THREE (Continued)

B133152 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Donna W.

The dispositional order is affirmed.

Kitching, J.

We concur: Klein, P.J.
 Aldrich, J.

B132575 Los Angeles County, D.C.F.S. (Not for Publication)
v.
John F.

The judgment is reversed. The juvenile court is ordered to conduct a status conference, provide Father a reasonable period of time for further visitation, and then conduct a hearing on Father's presumed father status.

Kitching, J.

We concur: Klein, P.J.
 Schneider, J. (Assigned)

B130275 Madison (Not for Publication)
v.
Madison

The judgment is affirmed as to the cause of action for libel. The judgment is reversed as to the causes of action for intentional infliction of emotional distress and negligent infliction of emotional distress. Parties to bear their own costs on appeal.

Kitching, J.

We concur: Klein, P.J.
 Croskey, J.

DIVISION THREE (Continued)

B126292 Abdul (Not for Publication)

V.

Superior Court, Los Angeles County

(Kdesis, r.p.i.)

Let a peremptory writ of mandate issue, directing the Los Angeles County Superior Court to set aside its order correcting and confirming the arbitration award and to enter a new order confirming the arbitrator's original award.

Costs on appeal are awarded to the Abduls.

Aldrich, J.

We concur: Kitching, Acting P.J.
 Schneider, J. (Assigned)

DIVISION FOUR

B130173 People (Not for Publication)

V.

Mongeon

The judgment is affirmed.

Curry, J.

We concur: Vogel (C.S.), P.J.
Epstein, J.

B129420 Gray et al. (Not for Publication)

V.

Northrop Grumman Corporation

For the reasons stated above, the court affirms the summary judgment granted in favor of Northrop against plaintiffs. Northrop is to recover its costs on appeal.

Berle, J. (Assigned)

We concur: Vogel (C.S.), P.J.
 Epstein, J.

DIVISION FOUR (Continued)

B122853 Pacific Custom Pools, Inc. (Certified for Publication)

v.

Turner Construction Company

Universal City Studios, Inc.

The summary judgment is affirmed; the order denying attorney's fees is reversed. The case is remanded to the trial court for determination as to the amount of attorney's fees. Turner and Universal to recover costs on appeal.

Berle, J. (Assigned)

We concur: Vogel (C.S.), P.J.
Epstein, J.

DIVISION FIVE

B132255 People (Not for Publication)

v.

Stanley Durden

The judgment is affirmed.

Grignon, J.

We concur: Turner, P.J.
Godoy Perez, J.

B131735 Florence La Cienega Office Warehouse (Not for Publication)

v.

Rod Kahn

The judgment is affirmed. Respondent Florence La Cienega Office Warehouse is awarded its costs and attorney's fees on appeal.

Grignon, J.

We concur: Turner, P.J.
Armstrong, J.

April 17, 2000-Continued

DIVISION FIVE (Continued)

B137613 Sandra M. (Not for Publication)
v.
Superior Court, Los Angeles County
(Los Angeles County Department of Children and Family Services, r.p.i.)

The petition is denied.

Grignon, J.

We concur: Turner, P.J.
 Armstrong, J.

B130255 Jess E. Mendoza et al. (Not for Publication)
v.
Southern California Title Company et al.

The judgment is affirmed. Respondents Southern California Title Company and Nations Title Insurance Company are awarded their costs on appeal.

Grignon, J.

We concur: Turner, P.J.
 Armstrong, J.

B139098 Porforio Medina (Certified for Publication)
v.
Superior Court, Los Angeles County
(The People, r.p.i.)

Inasmuch as respondent court has complied with the alternative writ issued by this court, issuance of a peremptory writ is unnecessary. The alternative writ is discharged and the petition for writ of mandate is denied.

Weisman, J. (Assigned)

We concur: Grignon, Acting P.J.
Godoy Perez, J.

April 17, 2000-Continued

DIVISION FIVE (Continued)

B140171 Fok Family, Inc., et al.
v.
Joyce Fok et al.

Filed order granting motion to dismiss appeal. Appeal (notice of appeal filed March 28, 2000).

DIVISION SIX

B132256 People (Not for Publication)
v.
Bowen

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Perren, J.

B130561 People (Not for Publication)
v.
Trujillo

The superior court shall amend the abstract of judgment to delete the final paragraph on page 2, which fixes appellant's prison term as "Life imprisonment with a minimum term of at least thirty-eight (38) years." The abstract shall instead reflect an indeterminate term of 25 years to life for the current conviction, pursuant to the Three Strikes law, plus the determinate term of 13 years imposed for the enhancements under sections 667, subdivision (a) and 12022.7. A copy of the amended abstract shall be forwarded to the Department of Corrections. As so modified, the judgment is affirmed.

Coffee, J.

We concur: Yegan, Acting P.J.
Perren, J.

April 17, 2000-Continued

DIVISION SIX (Continued)

B133692 People (Not for Publication)
v.
Ortega

The trial court properly ordered appellant to pay \$3,547.50 in direct victim restitution. The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Perren, J.

B134832 People (Not for Publication)
v.
Rodriguez

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Yegan, J.

DIVISION SEVEN

B138434 Maria P. (Not for Publication)
v.
Superior Court, Los Angeles County
(Los Angeles County Department of Children and Family Services, r.p.i.)

The petition challenging the juvenile court's order setting a hearing under section 366.26 is denied on the merits.

Neal, J.

We concur: Lillie, P.J.
 Johnson, J.

April 17, 2000-Continued

DIVISION SEVEN (Continued)

B130456 People (Not for Publication)
v.
Binns

The new sentencing order is affirmed.

Neal, J.

We concur: Johnson, Acting P.J.
 Woods, J.

B134239 People (Not for Publication)
v.
Edwards

The judgment is affirmed.

Neal, J.

We concur: Lillie, P.J.
 Johnson, J.

B132327 People (Not for Publication)
v.
Leon

The judgment is affirmed.

Neal, J.

We concur: Lillie, P.J.
Woods, J.

April 17, 2000-Continued

DIVISION SEVEN (Continued)

B129218 People (Not for Publication)
v.
Foster

The judgment is affirmed.

Neal, J.

We concur: Lillie, P.J.
Woods, J.

B123246 Twentieth Century Insurance, et al. (Certified for Publication)
v.
Choong

The judgment and order are affirmed.

Johnson, J.

We concur: Lillie, P.J.
Neal, J.

B123879 Panamasia Westcoast, Inc. (Not for Publication)
v.
HWA Sung Corporation et al.

The judgment of nonsuit is affirmed. Respondents are awarded costs on appeal.

Woods, J.

We concur: Lillie, P.J.
 Johnson, J.

April 17, 2000-Continued

DIVISION SEVEN (Continued)

B131028 Earl Cannady and Rosemarie Cannady (Not for Publication)
 v.
 North American Mortgage Insurance Services

The judgment is affirmed. Costs on appeal are awarded to respondent.

Woods, J.

We concur: Lillie, P.J.
 Neal, J.

Add the following entry to the Minutes of April 13, 2000:

B123262 People
 v.
 Orozco

Petition for rehearing denied by operation of law.